APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,280	06/05/2000	Ramin Khorram	004889.P001	7962

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EXAMINER
APPIAH, CHARLES NANA

ART UNIT	PAPER NUMBER
2682	

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/588,280	KHORRAM, RAMIN
	Examiner	Art Unit	
	Charles Appiah	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>05 June 2000</u> .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

1.   Claim 11 is objected to because of the following informalities: It appears the

word "terms" on line 3 should be changed to "term" to correct an apparent

typographical error. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-2, 4-6, 10, 14-16, 17 and 22 are rejected under 35 U.S.C. 102(b) as

being anticipated by **Pinter (5,894,506).**

Regarding claim 1, Pinter discloses a method of using a storage module in a

device comprising: receiving data in the device (terminal receive message from NOC

12), identifying a code in the data (text or code, step 72 to 76), replacing the code in the

data with corresponding terms in the storage module (retrieve message and response

options text, step 76, see col. 6, lines 33-38), prior to displaying the data (display

message and response options text, step 74, col. 6, lines 38-41), see figure 4.

Regarding claim 2, Pinter further discloses periodically updating data in the

storage module (steps 100-108, Figure 6).

Regarding claim 4, Pinter further discloses wherein a term may comprise one or

more of the following: a word, a phrase, a graphic element, an image, graphic

animation sequence, video clip, sound clip, applet or a BLOB (canned message "can

we meet for lunch at ?", see col. 5, lines 24-25).

Regarding claim 5, Pinter further teaches storing a plurality of code term-pairs

in the storage module (see col. 1, lines 43-67), and inserting the storage module into the

device (RAM 114, Fig. 7, is in the portable device).

Regarding claim 6, Pinter's teaching of receiving code from the NOC as

illustrated in figure 4, meets the data being received in the device over a low bandwidth

wireless connection (see col. 3, lines 24-35), since a code is transmitted instead of the

entire actual message.

Regarding claim 10, Pinter discloses a service provide for providing data via

low bandwidth connection (feature transmitting message (code or text) to terminal, step

58, figure 3), the service provider comprising: a database including a plurality of codes

and associated terms (NOC maintaining multiple files of canned messages and canned

response options, including files identical to those stored at calling terminal and possibly

also at receiving terminal, col. 6, lines 3-6), a substitution logic to replace a term in the

data with a code (step 56 through "code" to step 58), a transmission logic to transmit the

data including the code (step 58), see Figure 3.

Regarding claim 14, Pinter further discloses that data in the database is

periodically updated (steps 100-108, Figure 6).

Claim 15, which is a specific implementation of the generic device of claim 1 is

rejected for the same reasons applied to claims 1 and 6 above.

Regarding claim 16, Pinter further discloses that the low bandwidth connection

is a wireless connection (see col. 3, lines 24-35).

Regarding claim 17, Pinter further discloses that the storage module is a built-

in device (RAM being built into the portable device and NOC, see figures 7 and 8).

Regarding claim 22, Pinter discloses a system comprising: a first device

(calling terminal 10, and receiving terminal 14) having a low bandwidth connection to a

network (12), the device including a storage module (RAM 114, Fig. 7), a second

device for preparing data for display on the first device (NOC receiving message codes

and parameter(s) and identifying terminals 10 and 14, steps 50 54, figure 3), the

second device including a copy of data on the storage module, the second device

replacing data sent to the first device if the data is in the storage module (step 56

through "code" to step 58), whereby the bandwidth used for transmitting the data to the

first device is reduced (default feature of transmitting code to terminal 14, step 58,

Figure 3, since a code is transmitted instead of the entire actual message).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 7, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Pinter** as applied to claim 15 above, and further in view of **Kovanen et al.**

(5,448,765).

Regarding claim 7, Pinter further discloses that the storage means as being a

RAM (114, see Figure 7).

Pinter fails to teach that the storage device is selected from among the

following a flash memory, a Clik!, an EEPROM, a magnetic storage device, an IBM

MicroDrive and an optical storage device (RAM, 114, Figure 7).

Kovanen teaches a radio (e.g. a radiotelephone having a removable memory

means for (see abstract), in which the removable memory can be any removable

memory suited for the purpose depending on the storage capacity needed such as

SRAM modules (see col. 3, line 57 to col. 4, line 7).

It would therefore have been obvious to one of ordinary skill in the art, to

use the above teaching of Kovanen by using a removable memory means with the

system of Pinter for the benefit of being able to provide easy updating of the telephone

with new functions and information as desired, based on storage capacity needs.

Regarding claim 18, Pinter fails to teach that the storage module is a -

removable device.

The use of removable storage devices in portable electronic devices such a

radio telephone is very well known in the art as taught for example by Kovanen.

Kovanen discloses a radio (e.g. a radiotelephone having a removable memory means

for (see abstract). According to Kovanen, the use of the removable memory means

facilitates the updating of the radiotelephone with new functions or tailored accordance

with the special requirements of the user or the system (see col. 2, lines 25-41). By

configuring the radiotelephone with at least on a system-specific basis the control

parameters the user is able to change radio systems in an easy and reliable manner

and facilitates the use of an existing radiotelephone in other radiotelephone systems

and that switching on the removable memory enables easy updating of software of a

radio telephone (see col. 2, lines 42-67) and in which the removable memory can be

any removable memory suited for the purpose depending on the storage capacity

needed such as SRAM modules (see col. 3, line 57 to col. 4, line 7).

It would therefore have been obvious to one of ordinary skill in the art, to use

the above teaching of Kovanen by using a removable memory means with the system

of Pinter for the benefit of being able to provide easy updating of the telephone with

new functions and information as desired, based on storage capacity needs

Regarding claim 19, Pinter further discloses that the storage means as being

a RAM (114, see Figure 7).

Pinter fails to teach that the storage device is selected from among the

following a flash memory, a Clik!, an EEPROM, a magnetic storage device, an IBM

MicroDrive and an optical storage device (RAM, 114, Figure 7).

Kovanen teaches a radio (e.g. a radiotelephone having a removable memory

means for (see abstract), in which the removable memory can be any removable

memory suited for the purpose depending on the storage capacity needed such as

SRAM modules (see col. 3, line 57 to col. 4, line 7).

It would therefore have been obvious to one of ordinary skill in the art, to use the above teaching of Kovanen by using any removable memory means with the system of Pinter for the benefit of being able to provide easy updating of the telephone with new functions and information as desired, based on storage capacity needs of the user.

6.   Claims 8, 9, 11-13, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Pinter** as applied to claims 1, 10 and 15 above, and further in view of **Schroeder et al. (6,405,060).**

Regarding claims 8, 9, 11, and 20, Pinter fails to teach the feature of a statistic gathering logic for gathering statistics about the frequency of occurrence of each code and of each term in the storage module and the data respectively and transmitting the statistics for updating contents of the storage module or identifying which codes are used.

Schroeder discloses an improved user interface for a cellular telephone system with several functions including a predictive keyboard capable of inputting and displaying to a user the most commonly used characters for selected words in a particular language (see col. 1, lines 40-59), including the use of statistical analysis of sample text to determine characters for display (see col. 5, lines 19-45). Schroeder teaches an embodiment in which a user is allowed to enter a list of words that the user frequently uses in messages and also build a character frequency table from the set of words or the phone comes a pre-defined set of character frequencies which may be modified by analyzing the character frequencies of messages entered by a user over

time so that the table of frequencies automatically adapts to the types of words used by the user (see col. 5, lines 46-55), which suggests the capability of statistics gathering for modification or updating purposes as desired.

It would therefore have been obvious to one of ordinary skill in the art to combine Schroeder's teaching of statistical analysis with the system of Pinter in order to use statistical analysis for providing identification and/or updating or modification of stored data or information such as codes on an as needed basis.

Regarding claim 12, Schroeder teaches the use of statistical on a sample text of a particular language and the capability of automatically being able to modify the table of character frequencies to adapt to the types of words used by the user (see col. 5, lines 19-55), hence it would have been obvious to one of ordinary skill in the art to use the teaching of Schroeder with the system of Pinter in order to dynamically adapt the stored data or codes to a user's preference.

Regarding claim 13 and 21, Pinter further suggests the capability of generating an updated data set for the database (steps 100-108, Figure 6), while Schroeder suggests statistics gathering for modification or updating purposes as desired (see col. 5, lines 19-55).

.Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tett (5,635,918) discloses an apparatus for controlling message delivery to wireless receiver devices.

Levine (4,336,524) discloses a video display pager receiver with memory.

Miyashita (5,574,439) discloses a paging receiver, which displays canned and general messages.

Breeden et al. (5,066,949) discloses a telephone entry selective call system for generating numerically canned and coded messages.

Nagata (4,382,256) teaches a paging receiver with a display, which uses key codes to read out stored words corresponding to the codes for display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is 703 305-4772. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703 305-6739. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4750.

CA
September 24, 2002

CHARLES APPIAH
PATENT EXAMINER (PRIMARY)